

GLOBAL AIDS

Mr. KOHL. Mr. President, yesterday, I was pleased to join Senators DURBIN, DEWINE and others in sponsoring an amendment to increase funding to fight AIDS around the world. It is imperative that we do all we can to stem the spread of this deadly and devastating disease.

The latest statistics tell a grim story: The AIDS epidemic claimed more than 3 million lives in 2002, and an estimated 5 million people acquired the human immunodeficiency virus, HIV, in 2002, bringing to 42 million the number of people globally living with the virus. While we are most familiar with the presence of AIDS in Africa, especially sub-Saharan Africa, AIDS is rapidly expanding throughout Eastern Europe, Asia and the Caribbean. By 2010, it is estimated that approximately 40 million children worldwide will have lost one or both of their parents to HIV/AIDS.

The amendment adopted by the Senate would increase our commitment to the United States Agency for International Development's Child Survival and Health Programs Fund by \$180 million. Of that amount, \$100 million is for a U.S. contribution to the United Nations Global Fund to Fight AIDS, Tuberculosis and Malaria, and \$25 million is available for transfer to the U.S. Centers for Disease Control to help in the prevention and treatment of HIV/AIDS. This amount will bring the total U.S. contribution for Fiscal Year 2003 in the fight against global AIDS to \$1.525 billion. While this is a far cry from the \$2.5 billion sought by the international health community to meet the needs of international organizations working to eradicate AIDS and individual countries grappling with soaring HIV infection rates, it is the least we can do.

The current Administration has asserted on a number of occasions that the U.S. government is prepared to play a leadership role in the fight against the spread of HIV/AIDS. Yet earlier this year, the President chose not to spend \$200 million which was included in the Fiscal Year 2002 emergency supplemental for the U.N. Global Fund to Fight AIDS. It is no surprise that the international community questions our commitment to this fight. Leadership requires more than rhetoric. It requires that we commit our fair share of resources so we can fully participate in a larger, more comprehensive international effort to regain control of this crisis.

I am pleased my colleagues supported this amendment.

AMERICA'S PLACE IN THE WORLD

Mrs. FEINSTEIN. Mr. President, yesterday I gave an address to the World Affairs Council in Los Angeles, CA on America's role in the world. I ask unanimous consent to print my address in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Today America faces four great international challenges: the war on terror, the situation in Iraq, the Israel-Palestinian dispute, and the crisis in North Korea. These four present challenges to our Nation greater than any our Nation has faced in decades.

With respect to the ongoing war on terror, which centers around Osama bin Laden and al-Qaida, I can report substantial progress. The United States with its allies and the Northern Alliance succeeded in dispersing the Taliban government and putting al-Qaida operatives on the run. The government of Hamid Karzai is reasserting control over Afghanistan, although the going is difficult.

The security situation in Afghanistan is improving. We have 7,500 troops on the ground, and our allies, 5,000; they are providing security until the new government of Afghanistan is able to train military and police.

And, as a final action in the last Congress, a new Department of Homeland Security has been created to better coordinate efforts to safeguard the American people from terrorist attacks.

On the negative side, however, Osama bin Laden and many of his senior lieutenants are most probably still alive, along with hundreds, and possibly thousands of followers. They remain extremely dangerous.

And while Mullah Omar and the Taliban have been removed from power, they lurk in the remote areas of Afghanistan along the border with Pakistan and wait for a sign of weakness so they can return.

Bottom line, if we are to be successful in the war on terror, it is critical that Osama bin Laden, Mullah Omar, and other senior Taliban and al-Qaida operatives be brought to justice.

So, we must stay the course in Afghanistan. And wherever the war on terror takes us, we must not allow ourselves to get distracted or take our eye off the ball.

We must ensure that the Afghan economy and infrastructure are rebuilt. We must protect this fledgling democracy so it can survive and the Afghan people can flourish.

Just last week, Paul Wolfowitz, Deputy Secretary of Defense, said from Kabul that "stability and security" must be the goal. I agree.

Internationally, we must relentlessly pursue those who would use terror to destroy us. That must be our mission and it must be sustained until the job is finished.

With regard to Iraq, let me begin by saying categorically that no information has been presented to the Senate to date to connect Iraq to 9-11 or to any al-Qaida terrorist attack.

Nevertheless, Vice President Cheney laid the groundwork for a preemptive U.S. military strike against Iraq in a major speech last August 26, stating that Iraq either is, or would imminently be, a nuclear power.

But he provided no evidence to back up this accusation either publicly to the American people or privately, on a classified basis, to the Senate. He was, I believe, laying the ground work for a unilateral and preemptive attack on Iraq.

Then, however, in a welcome shift of position, the President went to the United Nations on September 12 and strongly urged the Security Council to compel Iraqi compliance with the 16 resolutions Iraq has defied over the past 11 years.

The President has repeatedly stated that the United States will lead "a coalition of the willing" to compel Iraq's compliance. In September, it appeared that the President had turned away from a unilateral course of

action to a multilateral one. That was good and welcome news.

On October 10, I voted for a Senate Resolution that would have required the President to return to the Security Council for a vote before launching a military strike against Iraq. That resolution was defeated.

Subsequently, and based on the President's support for acting in concert with the UN Security Council, I joined 76 of my colleagues and voted to support a resolution authorizing the President to use of force to compel compliance if necessary.

Since November 24, the UN inspection teams have inspected Iraqi facilities that produce chemicals and pharmaceuticals, Saddam's palace compounds, health care centers, water plants, and numerous other facilities where old records, prior inspections, or intelligence indicate chemical, biological or nuclear weapons or missiles might either be made or secreted.

The International Atomic Energy Agency, IAEA, is also in the process of doubling the number of inspectors.

On December 7, Iraq gave the United Nations a 12,000-page account of its chemical, biological, nuclear, and missile programs.

And on December 28, Iraq provided the UN inspectors with the list of Iraqis participating in its weapons programs.

January 27 is a key date. On that day, the findings of the IAEA inspectors will be detailed, and any discrepancies between what they have found thus far and Iraq's earlier declaration should be revealed.

Inspections to date have produced no evidence sufficient to clearly establish continuing culpability in the production of weapons of mass destruction.

However, Iraq is not yet cooperating fully with the UN inspectors as the Security Council demanded. Saddam may well be up to his old tricks, moving weapons or other incriminating evidence from place to place. The history is a sordid one.

If there is clear evidence that Iraq is continuing an illegal program to produce weapons of mass destruction; or has submitted inaccurate or false information regarding its nuclear and biological programs; or has secret programs, facilities, or stockpiles; then the administration should make it public.

And, if there is hard evidence of weapons of mass destruction, then the Security Council must take immediate action to compel compliance, including using force, if necessary. And I would support such action.

But the massive increase of U.S. troops in the Persian Gulf appears to be an indication that regardless of the findings of the UN inspectors the President may well intend to use military force to bring about regime change in Iraq. This is deeply disturbing.

I strongly believe that the arms inspectors must be allowed to complete their task, to report back to the UN Security Council, and the Security Council must then consider action.

In the meantime, Iraq is effectively contained and prevented from developing weapons of mass destruction. It is not an imminent threat to its neighbors or the United States. And there is no need for precipitous action under these circumstances.

A preemptive unilateral attack against a Muslim nation may well create a divide between the U.S. and the Muslim world so deep and wide that it will bring with it negative consequences for decades.

There are efforts being made behind the scenes by Arab nations to achieve a peaceful regime change. These efforts should be given the opportunity to succeed. What is the rush to bring the tragedy of war?

If Iraq can be successfully contained and disarmed and war can be avoided, if the deaths of innocent people can be prevented,

then that must be our course. War must be a last resort.

Let me make a few comments about one additional issue before discussing North Korea: A solution must be found to the Israeli-Palestinian crisis, and soon.

Unfortunately, it has not been, in my view, a high enough priority for the administration. As long as the Israeli-Palestinian crisis escalates, the risks of catastrophe remain unabated. Yet, one of the few things that most Israelis and most Palestinians agree on is that the United States is a unique third party capable of advancing the peace process.

Peace between Israel and the Palestinians is clearly in the U.S. national interest and would produce broader benefits as well: it would increase cooperation in the Islamic world in the war on terror; it would help us secure assistance from the Islamic world in pressuring Saddam Hussein to disarm; and it would restore credibility and momentum worldwide for American diplomacy and influence.

Right after the January 28th Israeli election, I believe President Bush should name a very senior and experienced person to be his personal emissary dealing with the Israeli-Palestinian crisis. The Israeli-Palestinian problem demands more creative and higher-level attention by the United States. It must be solved. Time is running out.

Now, with regard to North Korea I believe the situation is more menacing than that in Iraq. It presents a substantial and real danger to stability throughout the Asia-Pacific region and could ultimately directly threaten the United States.

North Korea possesses a much more advanced nuclear weapons program than Iraq, and it has been assessed that North Korea may already possess nuclear capability.

North Korea also has a missile delivery system, and once the third stage of the Taepo Dong missile is completed and operational, North Korea could strike any place in the United States.

Also, North Korea has: expelled all international inspectors and equipment; withdrawn from the Nuclear Non-Proliferation Treaty; restarted its plutonium processing plants; moved thousands of plutonium rods out of locked safe storage back into the nuclear production line; and is enriching uranium for nuclear weapon purposes.

The country and leadership are isolated, the economy is a failure and even the most basic necessities of life such as electricity, sanitation, and food are lacking. People are now starving by the thousands.

I had the opportunity in December to helicopter to the Demilitarized Zone, DMZ, where General LaPorte, our 4-star general in command, pointed out North Korean troop concentrations: 70 percent of the 1.2 million-man North Korean army is deployed along the DMZ, with enough heavy artillery to be able to substantially damage Seoul, killing millions. And there are reports that nerve agents may also be deployed along the DMZ.

Since my visit in December, the 800,000 forward-deployed North Korean troops have been placed on high alert and are prepared to move instantly.

North Korea, isolated with its failing economy, has clearly placed its total focus, not on feeding its people, but in developing its military, its missiles and its nuclear capability, all in defiance of treaties it has signed.

I believe the blame for precipitating this crisis lies squarely with North Korea, which clearly violated the agreed framework by beginning the surreptitious development of nuclear capacity.

But it also appears clear to me that the administration's handling of events on the Ko-

rean Peninsula over the past 2 years, as well as its broader foreign policy rhetoric and statements, have served, ironically, to fuel North Korea's paranoia and made the situation much more difficult to manage.

First, the administration failed to endorse President Kim Dae Jung's "Sunshine Policy" when President Kim visited the White House in March 2001. This move was perceived as a major humiliation in South Korea, helped set the stage for the rising tide of anti-Americanism, and was seen as a sign by the North that the administration was intent on a policy of isolation and confrontation.

Second, in January of 2002, the administration issued its Nuclear Posture Review, which states that there are certain situations in which the United States would contemplate and perhaps engage in a first use of nuclear weapons. One of the scenarios in this review included North Korea.

Third, in September 2002 the administration issued its National Security Strategy, which states that the United States reserves the right to strike preemptively, even without an imminent threat, if the administration believes another nation poses a threat to the United States.

And fourth, including North Korea as part of the "axis of evil" in the 2002 State of the Union address, along with statements by the President saying that he loathed Kim Jong Il, calling him names, and saying that he deliberately starved his own people, all helped fuel North Korea's paranoia and belligerence.

Meanwhile, one other troubling aspect of the Korean crisis is the growing anti-American sentiment in South Korea.

The new President, Roh Moo Hyun, won the election in an atmosphere of anti-Americanism. And in some quarters, our 37,500 troops stationed there are increasingly unwelcome.

The anti-American sentiment has been galvanized by the accidental deaths of two young Korean girls, run down by a large tank-like tracked vehicle on a narrow road while the girls were walking to a birthday party. A major outcry arose after the two servicemen driving the vehicle were acquitted in U.S. military court on charges of negligent homicide.

The situation on the Korean Peninsula offers no easy solution.

So I am pleased to see that after so many weeks of refusing to negotiate directly, the administration has now opened the door to high level discussions. This is a welcome and imperative change. It is the only acceptable course. And its result may well determine the effectiveness of diplomatic efforts in this crisis.

There must be direct and multilateral discussions between North and South Korea, Japan, China, and Russia as well as the United States. The solution is everyone's business and the responsibility of the leaders of all nations.

Much of what the administration has done since September 11 to safeguard U.S. security interests has been necessary and right. I have supported these efforts.

I believe that the administration has been correct in identifying the threat of the proliferation of weapons of mass destruction, especially if they fall into the hands of terrorists, as one of the top challenges facing U.S. foreign policy.

But in Iraq and North Korea, the administration has been pursuing two very different, and at times contradictory, approaches, which, in the process, has confused and angered many of our closest friends and allies.

With Iraq, the administration is beating the drums of war. With North Korea, it is pursuing multilateral diplomacy and a peaceful resolution of the crisis.

But these two crises are similar in many respects, and thus the question remains: can diplomacy be an effective tool in this new century to stay the ambitions of those states which seek nuclear weapons? Or is the use of force our only recourse?

I believe that the administration's current policy towards North Korea is more likely to produce a peaceful and acceptable outcome than its policy towards Iraq.

If you look at the different approaches to each of these problems alongside the administration's broader foreign policy statements and rhetoric, it is no wonder why serious questions about America's role in the world have been raised both here and abroad.

The administration's emphasis on unilateral action; its dismissal of international law, treaties, and institutions; and its dominant focus on military power as put forward in the Doctrine of Preemption, the rationale for unilateral preemptive attack; the National Security Strategy, which aims to make the United States the preponderant and unchallengeable military power in the world; and the Nuclear Posture Review, which states scenarios in which the United States would engage in a first use of nuclear weapons, even against the non-nuclear states, are particularly troubling.

Taken at face value, these positions mean the United States holds for itself the right to strike another sovereign nation, to wage war, if you will, even in the absence of an immediate threat, but based solely on the perception of a sufficient threat.

Despite administration efforts to downplay the actual wording in these documents, they are, in my view, unnecessarily provocative and dangerous.

I believe now, more than ever, that Teddy Roosevelt had it right, "walk softly and carry a big stick."

As a presidential candidate in 2000, George W. Bush spoke eloquently about the need for America to conduct itself with humility in international affairs. I remember him saying during the second Presidential debate on October 11, 2000: "If we're an arrogant nation, they'll resent us; if we're a humble nation, but strong, they'll welcome us. And our nation stands alone right now in the world in terms of power, and that's why we've got to be humble, and yet project strength in a way that promotes freedom."

Yet, one of the things I have found in the trips I have made abroad in the past year is that our allies across the globe increasingly believe that the United States is anything but humble.

They feel the United States does not listen to its allies, has shown disregard for treaties and international organizations, and has become increasingly unilateral.

As a result, we have lost much of the good will that followed the 9/11 attacks.

The preeminent position America occupies in the world today rests only in part on our military and economic strength.

In large part, it is also due to our moral influence and our unquenchable quest for truth, justice, and freedom, our belief that "all (people) are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are life, liberty and the pursuit of Happiness."

And regardless of whether one views Iraq or North Korea as the bigger threat, one thing they both have in common is that the United States is much more likely to be successful in dealing with them and safeguarding our own national security interests if we are able to act in concert with our friends and allies.

So we stand today at an important decision point in the history of our Nation and the world: Will the United States turn away from the successful bipartisan tradition of

supporting a world ordered by law, and pursue instead a unilateralist path?

Or will we recommit our Nation to the achievement of workable democratic structures, to law and diplomacy, and to constructive leadership that produces coalitions to bring about just solutions?

There may be times, when all else fails, that unilateral American military action will be necessary, and Iraq may be a case in point. However, in my view, that has not been established. War must only be a last resort.

But the spirit of our foreign policy should not be the establishment of American hegemony, any more than we would want to see the establishment of al-Qaida's vision of a new radical fundamentalist Islamic world.

More importantly, I strongly believe that a foreign policy oriented towards cooperation and consultation will, in the long run, prove to be a more effective guarantor of U.S. national security than one of unilateralist impulse and confrontation.

ADDITIONAL STATEMENTS

SEPTEMBER 11 COMMISSION

• Mr. CORZINE. Mr. President, this past November, after extensive discussions, the Congress authorized the establishment of a commission to investigate the event surrounding the September 11 terrorist attacks. This commission should play a critically important role by allowing us to better understand the events surrounding this national tragedy and to better prepare against the threats of similar attacks in the future. The commission's work is also essential for the thousands of families who lost loved ones on September 11, and who want better information about what happened on that fateful day, and who want to ensure that all those responsible are held accountable. These families have suffered tremendous losses and they deserve our support.

I am very concerned, however, that the commission may lack the resources need to do the job right. So far, in defense appropriations bill for Fiscal Year 2003, Congress has appropriated only \$3 million for the commission. From all indications, this is grossly inadequate. And if we fail to supplement this with additional funding, we would not only be disgracing the memory of the victims of September 11, but we could be jeopardizing the future safety of all Americans.

Mr. President, in recent days, my staff and I have discussed the operation of this important investigatory commission with several of the appointed commissioners, both Democrats and Republicans. They have explained that the \$3 million appropriated so far appears woefully insufficient to meet the commission's anticipated needs this fiscal year. In fact, actual needs for FY2003 probably will exceed \$6 million—more than twice the amount approved by the Congress.

Mr. President, the responsibilities of the September 11 commission are much broader than the other commissions and it is simply unreasonable to expect

the commission to function effectively with only \$3 million. After all, that's a \$2 million less than the funding received by a 1996 commission to look into the issues surrounding legalized gambling.

Think about that: \$5 million to study gambling, \$3 million to study the worst terrorist attack in the history of this country. That simply does not make sense.

Mr. President, it is important to remember that this commission has responsibilities and requirements that go far beyond those of any other commission in U.S. history. There are unique and expensive logistical requirements, including the hiring of expert staff with high-level security clearances. The commission must secure real estate appropriate for top secret discussions, and provide high-level security of its employees and its information systems.

In order to complete the work of this important commission thoroughly and on time, more resources will be needed during this fiscal year, and in the future.

Mr. President, I am hopeful that if the Congress considers a supplemental appropriations bill later this year, that legislation will include needed additional resources for the commission.

In fact, I had prepared an amendment to this bill to increase funding for the commission by \$3 million. However, after a conversation with Governor Tom Kean, chair of the commission, I have decided not to introduce my amendment at this time. Rather, I will wait until a formal budget is drawn up by the commission.

I want to assure my colleagues, however, that I will not stop fighting for increased funding for the commission until I am convinced that the September 11 commission has received the funding that it needs to investigate the worst attack on American soil in our history. This matter is simply too important to do anything less.●

MIKE EVANS

• Mr. BAUCUS. Mr. President, I rise to pay tribute to one of the most dedicated public servants and loyal staff members I have had the privilege to work with. Mike Evans has served me with deliberation, dedication, and distinction for 18 years and I, the people of Montana, the United States Senate, and our Nation are the better for it.

Mike began his career as my legislative assistant for tax policy in 1983. As many in this Chamber will recall, that was a time of great debate in the Finance Committee. We had passed a major tax cut in 1981. The following year, a soaring budget deficit was demanding attention. By the time Mike came on board, not only was the Finance Committee dealing with "revenue raisers," to use the language of the day, but tax simplification was the hottest topic on the Finance Committee's agenda. Mike guided me through

the controversies with his usual enthusiasm and attention to detail. In fact, he was so impressive that he soon became my legislative director, and expanded his responsibilities to include overseeing my work on the Agriculture and Environment and Public Works Committees.

Perhaps his most significant accomplishment during his time with the EPW Committee was seeing the Clean Air Act of 1990 through the legislative process and into law. I was chairman of the Environmental Pollution Subcommittee then and Mike was my right arm—and sometimes my eyes and ears, too!

Getting that bill through the EPW Committee, the Senate floor, and then conference with the House was an arduous task. But Mike was there all the way. Through the seemingly endless markups, through the backroom negotiations off the Senate floor, and through the midnight conferences with the House, Mike was always ready with the right arguments, the necessary supporting materials, and, most important, his sage advice. That bill was a significant advance in the protection of public health and the cleanup of our environment. Mike's contributions to the bill will be long remembered.

In 1991, the lure of the Preston Gates law firm proved too much and he returned to the firm from whence he came. But when I became chairman of the Environment and Public Works Committee in 1993, I succeeded in luring him back into public service. Mike became my general counsel on the EPW Committee, integrally involved with the reauthorization of the Clean Water Act, the Superfund law, and the Endangered Species Act. We weren't always successful, but Mike provided the legal underpinnings of our efforts.

It is as a lawyer that Mike's true talents show through. He not only masters the statutory construction and case law on any point with ease—or at least so it seems to me—but he is renowned among the staff for his ability to footnote material. I recall on several occasions getting memos from him where there was not a word of the memo on a page. Rather, the page was filled with footnotes. I told him that I appreciated a good footnote or two as much as the next lawyer, but next time he should save them for our opponents.

Mike is respected and admired by his colleagues. He was always willing to spend time with other staff to review legal arguments, provide advice and direction, and sometimes just be a sounding board. I was told that Mike's stature among his peers increased beyond measure when he revealed to the other staff that when reading bill language, subclause two is pronounced "subclause two" and not, as was the apparent custom, "two little eye."

Mike's attention to detail was perhaps most apparent when it came to the rules. First, he updated the EPW Committee rules and religiously filed